

ACCEPTABLE BEHAVIOUR POLICY

**Policy Owner:
Chief Operations Officer**

**Accountable Lead
Director of Housing & Support / Director of
Customer Service**



Policy Control

Policy Level	Operational
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Approved by	Executive Director of Customer Experience Chief Operating Officer
Consultation	
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Policy Statement:

At Curo we strive to provide the best possible service and support to our customers across the range of our services - from completing repairs, supporting customers experiencing anti-social behaviour, sign-posting to additional support, to offering help with financial challenges or putting right complaints.

We always do our best to meet customers' expectations but there are times when customers feel that an outcome or resolution falls short of their expectations. We understand that this can lead to frustration and we will make every effort to maintain respectful and fair communication at all times. If despite this, communication from customers becomes abusive or aggressive, we have a duty of care to our colleagues to protect them. In this case we will refer to the Acceptable Behaviour Policy to help guide our next steps for customer interaction.

1. Purpose and Scope

1.1 This policy aims to:

- Explain what we mean by 'unacceptable behaviour' and how we decide whether behaviour is unacceptable.

- Explain how we will address support for both customers and colleagues when managing situations arising from unacceptable customer behaviour.
 - Explain how we will respond to unacceptable behaviour, so that customers understand what is expected of them and so that we treat our customers consistently and fairly.
 - Ensure that we manage unacceptable behaviour in a way which safeguards our colleagues and our resources.
- 1.2 This Policy applies to all colleagues who encounter customers who are negative about our services and demonstrate verbally or physically abusive behaviours. This may happen during any form of contact, including face to face, written and telephone.
- 1.3 The policy supports colleagues who encounter such behaviour to respond positively and encourages customers to understand why this happens and to take responsibility for managing their own behaviour.
- 1.4 This policy refers to behaviour by customers towards our colleagues. Our Tenancy Compliance Policy explains how we manage customers' behaviour towards each other where Tenancy Compliance action is to be taken.
- 1.5 The policy does not cover planned and pro-active preparation (personal safety and ASB policies deal with this). Safeguarding matters are dealt with by our Safeguarding Policy.

2. Responsibilities

- 2.1 The Board and Executive, through the Policy Owner, ensure that the policy delivers our strategic objectives and reflects corporate values.
- 2.2 The Accountable Lead is accountable to the Executive for the effective implementation of the policy in Curo, so that:
- The principles are achieved through appropriate team plans and objectives, and
 - procedures – with appropriate accountable leads via RACIs – translate the policy objectives into practice.”
- 2.3 The Accountable Lead will rely on support from the Managing Director Curo Choice and the Director of Tenancy Compliance & Management, and their service managers, to effectively deliver those procedures.
- 2.4 Service Managers, Team Leaders and colleagues in a supervisory and line management role have a responsibility to ensure that practice within the organisation is consistent with the contents of this policy and associated procedure.
- 2.5 All colleagues will work with the procedures supporting this policy and receive training in its use at their induction.

3. Definitions

3.1 Unacceptable behaviour means behaviour which a reasonable person would believe to be unacceptable. We do not consider a customer to be behaving unacceptably just because they are assertive or determined.

3.2 Examples of unacceptable behaviour include (the list is not exhaustive):

- Unreasonable demands
 - Requesting large volumes of information
 - Asking for information, or responses, within an unreasonably short period of time
 - Refusing to speak to a particular colleague, or insisting on only speaking with a particular colleague
 - Asking for services of a nature and/or scale which is not reasonable
 - Asking for a remedy or outcome that cannot be achieved (such as asking for something which is the responsibility of another organisation)
 - Refusing to follow our policies and procedures (in particular, our complaints procedure), or refusing to allow access to property where that is needed to deliver services.

- Unreasonable persistence
 - Bringing a complaint on insufficient grounds, so that it is obvious it has been made to annoy
 - Refusing to accept answers which have been provided
 - Continuing to ask questions about issues that have been responded to
 - Refusing to accept the outcome of a complaint after its conclusion, repeatedly arguing the point, complaining about the outcome, and/or denying that an adequate response has been given.

- Abuse, aggression and/or violence
 - Behaviour or language (written or spoken) that could cause our colleagues to feel afraid, threatened or abused
 - Insulting or degrading language, including inappropriate banter, innuendo, rudeness or inflammatory allegations
 - Any form of physical violence or threats of physical violence
 - Derogatory remarks, and in particular any comments relating to protected characteristics (or perceived protected characteristics).
 - (For Hate crime abuse please see our Hate Crime Policy)

- Contact overload
 - Recording meetings or conversations (whether face-to-face or on the telephone) without the prior knowledge or consent of other people involved
 - Submitting and pursuing complaints or queries via different Curo colleagues at the same time
 - visiting our offices without an appointment, if you have been told you need to book one

- An unreasonable number of contacts (both in terms of volume, frequency and duration) by letter, calls, emails or contact via social media.
- 3.3 Unacceptable behaviour can be expressed in acts, words, physical gestures, calls, or in writing (including across social media).
- 3.4 Unacceptable behaviour can also include the sharing of untruths publicly, this includes across social media, in public forums and news outlets.
- 3.5 When we are considering whether a customer's behaviour is unacceptable, we will consider all the relevant circumstances. These will include:
- The circumstances which have led to the behaviour
 - The impact of those circumstances on the customer
 - Any particular needs or characteristics of the customer (for example, disability and/or medical condition). For the avoidance of doubt, we will comply with our duties under the Equality Act 2010. However, this does not mean we will tolerate abusive language, shouting, or other unacceptable behaviour or actions.
- 3.6 In defining 'unacceptable behaviour' we have taken into account guidance from the Housing Ombudsman and our solicitors. We have also consulted our customers.
- 3.7 In this policy, 'customers' means any person accessing our services; and 'colleagues' means any person working for Curo Group (including our contractors).

4. Principles

- 4.1 We acknowledge:
- The requirement to deliver high quality services that meet the needs and aspirations of customers
 - Our legal duty as an employer to identify and minimise the risk and effect of aggressive and /or violent behaviour of residents and clients on colleagues.
 - Our legal duty as a landlord to ensure, as far as is reasonably practicable, that premises under our management are safe and without risks to health.
- 4.2 We are committed to providing a quality service to all our customers. In return, we expect everyone who comes into contact with our colleagues to treat them with respect.
- 4.3 We understand that, in times of dissatisfaction, trouble or distress, customers may act in a way which is out of character. In a very small number of cases, customers may behave in unacceptable ways.
- 4.4 Unacceptable behaviour makes it difficult for us to deal with queries or complaints effectively and can impact the level of service which we can

provide to other customers. We also have a duty to protect the welfare and safety of our colleagues. They should be able to come to work without fear of violence, abuse, harassment, or discrimination.

5. Application

5.1 How we will respond to incidents of unacceptable behaviour

5.1.1 'In the moment'

5.1.1.1 We do not expect our colleagues to tolerate unacceptable behaviour when communicating with our customers. When this happens, our colleagues have the right to ask customers to behave in a different way. They might also:

- Where communication is taking over the phone: place callers on hold; ask the caller if there is someone else that could represent their views on their behalf; end the call; ask another colleague (including a manager) to take over.
- Where communication is in writing (including social media, livechat and email): not to reply (we will only review these communications to ensure no that they do not contain any urgent issues); or ask another colleague (including a manager) to take over.
- Where communication is in person: to leave the area.

5.1.1.2 Before taking any action, we will always try to warn customers that we consider that they are behaving in an unacceptable way, and to give them the chance to change their behaviour. However, it may not be possible or appropriate to give such a warning, for example if a colleague feels that they are at risk of harm.

5.1.1.3 In extreme cases such as physical violence (or threats of violence) or harassment, we will also consider other immediate actions such as contacting the police.

5.1.2 Next Steps

5.1.2.1 If we consider that a customer has behaved in an unacceptable way, we will usually first explain to the customer in writing:

- What the behaviour was
- Why we believe that behaviour to be unacceptable
- That if the customer does not change that behaviour, we may take further action. We will make the customer aware of this policy so that they understand the formal steps that might be taken next.
- We may suggest mediation or advocacy through third parties to improve the situation.

This is to allow the customer time to consider and adjust their behaviour. Written warnings will be stored in our internal records. Any such warnings may be taken into account if the customer behaves in an unacceptable way at a later date, when we are considering what action to take.

5.1.2.2 If a customer continues to behave in an unacceptable way (and/or a one-off instance of unacceptable behaviour raises suggests that further action by us is required), we can impose temporary or permanent restrictions on the customer.

5.1.2.3 If we take further action under this policy, we will write to the customer to explain:

- Why we are imposing a restriction
- What action we are taking
- The duration of the restriction and when it will be reviewed
- The customer's right of appeal and their right to contact the Housing Ombudsman.

We will also direct the customer to this policy.

5.1.2.4 Restrictions we might put in place might include one or more of the following:

- Limiting communication with us. For example:
 - Limiting contact to a particular method (for example, email)
 - Requiring contact to take place with a named colleague (or colleagues) only
 - Requiring contact to take place through a third party (such as a solicitor, advocate, councillor or friend)
 - Refusing all contact with the customer
 - Informing the customer that further correspondence will be read and actioned if necessary, but not acknowledged
- Requiring any contact to take place in the presence of an appropriate witness
- Refusing access to a Curo building, only permitting access at particular days/times, or only permitting access by appointment
- Removing or blocking from our social media accounts
- Blocking certain telephone numbers and/or email addresses
- Applying rules to email contact, so that they are automatically forwarded to a particular mailbox and addressed by appropriate colleagues
- Restricting access to services, or imposing conditions which must be met before we will provide a service
- Refusing to reply or acknowledge any further contact about a particular matter (which may include a matter the subject of a complaint)
- Where the behaviour has arisen in the course of a complaint:
 - Only considering a certain number of issues in a specific period
 - Refusing to further consider the complaint
 - Only considering future complaints if the Customer Resolution Manager considers that they warrant consideration.

5.1.2.5 In extreme cases (such as behaviour which threatens the safety and welfare of colleagues, or repeats unfounded allegations in public) we will consider other legal action. This might include reporting the matter to the police, taking steps to terminate or demote the customer's tenancy, seeking an injunction, or removal of services provided. In such cases, we may not give the complainant prior warning of that action.

5.1.2.6 Any restriction that is imposed on a customer will be appropriate and proportionate. In particular:

- We will comply with our duties under the Equalities Act 2010. In particular, for customers with disabilities we will make reasonable adjustments (including to the way we communicate and expect customers to communicate with us). If an individual with a protected characteristic becomes the subject of a restriction under this policy, we will consider whether the restriction may affect them more than someone without that characteristic. If this is the case, we may make different arrangements so they can still access the service.
- We will consider if there are other individuals that may be able to represent the customer. For example a family member, friend or support worker. We will also consider if a multi-agency approach is necessary when the individual is receiving support from other bodies such as social services.
- We will only impose restrictions for an appropriate period. In most cases restrictions will apply for between six and twelve months but in exceptional cases they may be imposed for longer. In such cases the restrictions would be reviewed every six months. We will write to the customer after each review to explain the outcome. If the restriction is to continue, we will explain why and provide the next review date.
- New complaints from customers who have had a restriction imposed under this policy will be treated on their merits. We do not operate a "blanket policy" of ignoring genuine service requests or complaints where they are founded. The Customer Resolution Manager will review new complaints and decide whether they can proceed while a restriction is in place. For the avoidance of doubt though, customers are not able to complain about restrictions which have been imposed on them under this policy.

5.2 Safeguarding and Disclosures

5.2.1 If, in the course of our work, a customer threatens to harm themselves or others, we will consider disclosing this to a relevant health professional.

5.2.2 We may also contact the police if we believe a crime has occurred, or may occur, or if we believe someone may be at risk of harm. For the avoidance of doubt, this includes hate crime.

5.2.3 When we make disclosures to third parties, we will comply with data protection law

5.3 Record Keeping

5.3.1 We will keep records of all instances of unacceptable behaviour. This will include:

- Records on individuals' accounts, to let colleagues know what restrictions have been imposed. These will be removed when a restriction is removed.
- A central record of incidents, restrictions imposed, the customer's name and address, the duration and outcome of reviews of restrictions, for monitoring, reporting and learning purposes.

5.3.2 All records will be maintained in accordance with data protection legislation and Curo's Data Protection Policy.

6 Monitoring and Reporting

6.1 We will monitor through our outcomes framework and case review:

- The number of times this policy is used.
- The reasons why this policy is used.
- Response times.
- Outcomes.

We will use this information to inform our service offer in the future.

7 Procedures

7.1 This Policy is supported by our Challenging Behaviour Guidance.

8 Associated Documents

8.1 This policy has close links to and should be read in conjunction with:

This policy should be read in conjunction with our:

- Health and Safety Policy
- Personal Safety Policy and Procedures
- Anti-Social Behaviour Policy
- Safeguarding Vulnerable Adults and Children Policy
- Curo Equality and Diversity Policy
- Planning Support Services Policy and procedures
- Shared Housing Exclusions Policy
- Managing abuse and intimidation guidance